

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

United States of America,)	Civil Action No. 1:16-cv-00825-JMC
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Savannah River Nuclear Solutions, LLC)	
and Fluor Federal Services, Inc.,)	
)	
Defendants.)	
)	

Plaintiff United States of America (the “Government”) filed this action against Defendants Savannah River Nuclear Solutions, LLC and Fluor Federal Services, Inc., raising six claims for monetary relief, including three (3) pursuant to the False Claims Act of 1986 (“FCA”), 31 U.S.C. §§ 3729–33. (ECF No. 1.)

This matter is before the court to address the posture of case now that the Civilian Board of Contract Appeals (“CBCA”) has issued the advisory opinion requested by the court on April 11, 2017. (*See* ECF No. 58-1.) Specifically, on May 6, 2021, the CBCA e-mailed the court the advisory opinion and in a separate letter expressed its concerns about protecting the confidentiality of information referenced in the opinion.

In light of the foregoing, the court **LIFTS** the previously imposed stay, and **REINSTATES** the case to the active docket. Because there has not been a confidentiality order entered in this case, the court will e-mail a password protected copy of the CBCA’s advisory opinion for **ATTORNEY’S EYES ONLY** to counsel for the parties. The court directs counsel to review the advisory opinion and send joint correspondence to the court at childs_ecf@scd.uscourts.gov on or before May 21, 2021, conveying to the court their respective

positions regarding (1) the filing of the advisory opinion on the docket with or without redactions and (2) whether the court should anticipate (a) additional Rule 12 briefing on the Government's FCA claims with a jointly proposed briefing schedule or (b) entry of a scheduling order.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

May 7, 2021
Columbia, South Carolina